

HOUSE BILL 479

Q5

0lr2371

By: **Delegates Barkley and Bronrott**

Introduced and read first time: February 1, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Fuel Tax – Increase**

3 FOR the purpose of altering the motor fuel tax rates for certain motor fuels; providing
4 for certain increases in the motor fuel tax rates for certain motor fuel for certain
5 periods; providing for the payment of certain motor fuel taxes on certain
6 tax-paid motor fuel as of certain dates; and generally relating to the motor fuel
7 tax.

8 BY repealing and reenacting, with amendments,
9 Article – Tax – General
10 Section 9–305
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Tax – General**

16 9–305.

17 **(A)** [The] **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE** motor fuel
18 tax rate is:

19 (1) 7 cents for each gallon of aviation gasoline;

20 (2) [23.5] **25.5** cents for each gallon of gasoline other than aviation
21 gasoline;

22 (3) [24.25] **26.25** cents for each gallon of special fuel other than
23 clean-burning fuel or turbine fuel;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) 7 cents for each gallon of turbine fuel; and

2 (5) [23.5] **25.5** cents for each gasoline-equivalent gallon of
3 clean-burning fuel except electricity.

4 **(B) (1) THE MOTOR FUEL TAX RATE SPECIFIED IN SUBSECTION**
5 **(A)(2), (3), AND (5) OF THIS SECTION FOR MOTOR FUELS OTHER THAN AVIATION**
6 **GASOLINE OR TURBINE FUEL SHALL BE INCREASED ON JULY 1 OF EACH YEAR IN**
7 **2011 THROUGH 2014 BY 2 CENTS PER GALLON OVER THE RATES IN EFFECT ON**
8 **JUNE 30 OF THE PRECEDING FISCAL YEAR.**

9 **(2) THE COMPTROLLER SHALL REQUIRE ANY PERSON**
10 **POSSESSING TAX-PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON**
11 **THE DATE OF ANY INCREASE IN THE MOTOR FUEL TAX UNDER THIS SUBSECTION**
12 **TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE**
13 **OF BUSINESS ON THE PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY**
14 **ADDITIONAL MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That each person holding
16 tax-paid motor fuel for sale at the start of business on July 1, 2010, shall compile and
17 file an inventory of the motor fuel held at the close of business on June 30, 2010, and
18 remit within 30 days any additional motor fuel tax that is due on the motor fuel.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2010.